

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA )  
 ) No. 3:12-cr-00130  
v. )  
 ) Judge Nixon  
DAKOTA LATRACON CARVER )

**ORDER**

Pending before the Court is Defendant Dakota Latracon Carver's Motion to Exclude Government's Use of Defendant's Guilty Plea ("Motion"), in which he requests the Court suppress his state court guilty plea to aggravated assault as well as statements made in support of the plea. (Doc. No. 52.) The Government filed a Response opposing the Motion (Doc. No. 54.) The Court hereby **SCHEDULES** a hearing on the Motion for **May 22, 2013 at 10:00 a.m.**

At the hearing, the parties shall address the following issues: (1) whether this Court has jurisdiction to adjudicate a collateral attack on a state court conviction—based on ineffective assistance of counsel—for the limited purpose of determining admissibility of the underlying guilty plea; if so (2) whether a factual basis exists here for the Court to find ineffective assistance of counsel; and (3) whether the language from the Wilson County Criminal Court plea colloquy makes what would otherwise be an admissible statement by a party opponent, inadmissible as unduly prejudicial under the Federal Rules of Evidence.

It is so ORDERED.

Entered this the 18<sup>th</sup> day of April, 2013.

  
JOHN T. NIXON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT